

Appl. No. 10/721,660  
Amdt. dated September 8, 2006  
Reply to office action of May 5, 2006

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### REMARKS

This is in response to the Office Action mailed on May 5, 2006. The Office Action rejected Applicants' Claims 48 and 55 as being indefinite. Additionally, Applicants' Claims 47-65 were rejected as being anticipated by U.S. Pat. No. 6,278,939 ("Robare").

Applicants have amended Claims 48 and 55. Applicant respectfully requests the Examiner to reconsider the present application in view of the following remarks. Applicant submits that all pending claims are in condition for allowance.

#### Rejection under 35 U.S.C. 112

On page 2 of the May 5, 2006 Office Action, Claims 48 and 65 were rejected under 35 U.S.C. 112, second paragraph, as failing to particularly point out and distinctly claim the subject matter. Specifically, the phrase "substantially uniform" was objected to as indefinite. Applicants have amended Claims 48 and 65 to overcome this rejection. Accordingly, Applicants respectfully request that the rejection be withdrawn.

#### Rejection under 35 U.S.C. 102(e)

Applicants' Claims 47-65 were rejected under 35 U.S.C. 102(e) as being anticipated by Robare. Please find enclosed a Declaration under 37 C.F.R. 1.132 showing that one of the present Applicants, Philip Robare, was a co-inventor on Robare and to the extent the disclosure in Robare is a disclosure of, or is material to the examination of, the invention claimed in the present application, such disclosure in Robare were originated with or were obtained from Philip Robare. Accordingly, the Robare patent is not available as prior art against the claims of the present application. Thus, Applicants request that the rejection of Claims 47-65 under 35 U.S.C. 102(e) as being anticipated by Robare be withdrawn.

#### Petition for Extension of Time

Included with this response is a request for an extension of time to reply to the office action dated May 5, 2006. Included with this response is an authorization for payment of the fee associated with this request.

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### Conclusion

With the present response, all the issues in the Office Action mailed May 5, 2006 have been addressed. Applicant submits that the present application has been placed in condition for allowance. If any issues remain, the Examiner is requested to call the undersigned at the telephone number indicated below.

Respectfully submitted,



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